



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DFW

Applicant(s): Piero Chiarelli
Serial No.: 10/533,768
For: CONTROLLED AND CONTINUED DELIVERY OF RIFAXIMIN
AND/OR OTHER SUBSTANCES
Filed: May 4, 2005
Examiner: Nissa M. Westerberg
Art Unit: 1618
Confirmation No.: 8171
Customer No.: 27,623

Attorney Docket No.: 0002263USU/3061

**Mail Stop Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450**

Dear Sir:

REQUEST FOR RECONSIDERATION TRANSMITTAL

We are enclosing a Request for Reconsideration in response to the communication dated April 6, 2009 in the above-identified application.

Petition for extension of time pursuant to 37 C.F.R. §§ 1.136 and 1.137 is hereby made if, and to the extent, required. The fee for this extension of time is calculated to be **\$245.00 (small entity)** to extend the time for filing this response until **September 8, 2009 (since September 6, 2009 falls on a Sunday and September 7, 2009 is a federal holiday)**.

The fee for any change in number of claims has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	
Total Claims	16	Minus	20	0	x \$52.00	\$
Independent Claims	1	Minus	3	0	x \$220.00	\$
MULTIPLE DEPENDENT CLAIM FEE					x \$390.00 = \$	
TOTAL FEE FOR CLAIM CHANGES					\$0.00	
1/2 FILING FEE FOR SMALL ENTITY					\$N/A	

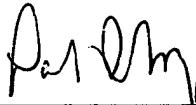
The total fee for this amendment, including claim changes and any extension of time is calculated to be \$ 245.00.

A check in the amount of \$ 245.00 (\$245 – extension fee, small entity) is attached.

The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 01-0467**. A duplicate copy of this Form is enclosed.

September 8, 2009

Date


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CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON SEPTEMBER 8, 2009.

Joanne A. Romaniello
NAME


SIGNATURE

9/8/09
DATE